

**K.C.C. 21A.18**  
**Development Standards – Parking and Circulation**

1           SECTION 21. Ordinance 10870, Section 406, as amended, and K.C.C.  
2   21A.18.020 are each hereby amended to read as follows:

3           **Authority and application.**

4           A. Before an occupancy permit may be granted for any new or enlarged building  
5   or for a change in use in any existing building, the use shall be required to meet the  
6   requirements of this chapter. In addition, K.C.C. 21A.18.110 I. and J. establish  
7   residential parking limitations applicable to existing, as well as new, residential uses.

8           B. If this chapter does not specify a parking requirement for a land use, the  
9   director shall establish the minimum requirement based on a study of anticipated parking  
10   demand. Transportation demand management actions taken at the site shall be  
11   considered in determining anticipated demand. If the site is located in an activity center  
12   or community business center, the minimum requirement shall be set at a level less than  
13   the anticipated demand, but at no less than seventy-five percent of the anticipated  
14   demand. In the study, the applicant shall provide sufficient information to demonstrate  
15   that the parking demand for a specific land use will be satisfied. Parking studies shall be  
16   prepared by a professional engineer with expertise in traffic and parking analyses, or an  
17   equally qualified individual as authorized by the director.

18          C. If the required amount of off-street parking has been proposed to be provided  
19   off-site, the applicant shall provide written contracts with affected landowners showing  
20   that required off-street parking shall be provided in a manner consistent with this chapter.  
21   The contracts shall be reviewed by the director for compliance with this chapter, and if  
22   approved, the contracts shall be recorded with the county records and elections division

as a deed restriction on the title to all applicable properties. These deed restrictions may not be revoked or modified without authorization by the director.

D. Upon request from the proponent of any use subject to the this chapter located in a rural town, rural neighborhood center, ~~((or))~~ any commercial zone located in a rural area or natural resource production district designated by the comprehensive plan, or any agricultural product production, processing or sales use allowed in the A or F zones the director may waive or modify this chapter in order to protect or enhance the historic character of the area, ~~((and))~~ to reduce the need for pavement or other impervious surfaces, to recognize the seasonal nature of any such activity, or to minimize the conversion of agriculturally productive soils. Where a neighborhood or subarea plan with design guidelines that includes the subject property has been adopted, the director shall base allowable waivers or modifications on the policies and guidelines in such a plan.